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EXAMINER	
CERVETTI, DAVID GARCIA	

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/915,271	KEECH, WINSTON DONALD	
	Examiner	Art Unit	
	David G. Cervetti	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23 and 32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23 and 32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 July 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☒ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's arguments filed July 27, 2005, have been fully considered but they are not persuasive.

2. Claims 1-23 and 32 are pending and have been examined.

Response to Amendment

3. Examiner approves the amendment to the specification received on July 27, 2005 to correct the terms not defined. The objection to the terms not defined in the specification is withdrawn. The objection to the abstract is maintained, the abstract is 152 words in length.

4. The objection to the drawings regarding the reference characters mentioned in the description but not included in the drawings is withdrawn.

5. The objection to the drawings regarding the reference characters not mentioned in the description is withdrawn.

6. The objection to reference character 407 in the drawings is withdrawn.

7. The objection to claim 32 is withdrawn.

8. The rejection of claim 32 under 35 U.S.C. § 112 is withdrawn.

9. Kawana teaches providing a confirmation for a transaction (columns 2-3, more specifically the SAN) and Applicant admits using confirmation signals for an authorized transaction (page 3). Therefore, Applicant's argument that Kawana does not teach he claimed invention is not persuasive. Even assuming arguendo that Kawana does not teach, suggest, or otherwise mentions the use of random information, Examiner has read the claims with the broadest reasonable interpretation consistent with the

specification. Furthermore, using pseudo-random strings for transaction was extremely well known and conventional.

10. Regarding claims 3-4, Goldfine et al. (US Patent Number 5,343,529, hereinafter "Goldfine") expressly teaches using a request identifier (column 4, lines 1-68) and that the identifier could be the time or date, or a random number or pseudo-random number generated by any one of the random number generators known in the art (column 6, lines 1-68).

Oath/Declaration

11. The Oath/Declaration is objected to because it states that the country is United States, however, the address appears to be a United Kingdom address. A statement over applicant's signature providing a complete correct post office address is required.

Specification

12. The abstract of the disclosure is objected to because it exceeds 150 words in length. Correction is required. See MPEP § 608.01(b). Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

14. Claims 1-2, 12-19, 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawana (US Patent Number: 4,697,072).

Regarding claim 1, Kawana teaches an identity verification secure transaction system comprising: a host computer for storing a user code associated with a user, for supplying a pseudo-random security string for a transaction, wherein said host computer determines a one time transaction code by applying said user code to said pseudo-random security string (column 3, lines 39-40); and at least one electronic device in electronic communication with said host computer for administering said transaction by receiving and displaying said pseudo-random security string and for receiving a user transaction input code, wherein said user transaction input code is determined by applying said user code to said pseudo-random security string displayed on said at least one electronic device and said user transaction input code is sent to said host computer (column 3, lines 38-39); wherein said host computer verifies that said user input code matches said one time transaction code (column 5, lines 14-25).

Regarding claim 2, Kawana teaches the system of claim 1, wherein said at least one electronic device is an Electronic Funds Transfer Point of Sale (EFT/POS) device (column 5, lines 65-68).

Regarding claim 12, Kawana teaches the system of claim 1, wherein said host computer upon verification allows completion of said transaction (column 5, lines 25-28).

Regarding claim 13, Kawana teaches the system of claim 1, wherein said host computer upon verification allows access to a database (column 4, lines 60-65).

Regarding claim 14, Kawana teaches the system of claim 1, wherein said host computer upon verification allows access to account information (column 4, lines 47-56, column 5, lines 25-28).

Regarding claim 15, Kawana teaches a method of verifying an identity for conducting secure transactions comprising the steps of: storing information about a user pin associated with a host computer (column 3, lines 24-28); generating a pseudo-random security string by said host computer (column 4, lines 65-68, column 5, lines 1-5); determining a transaction code by applying said user pin to said pseudo-random security string (column 4, lines 65-68, column 5, lines 1-5); transmitting said pseudo-random security string to at least one electronic device, displaying said pseudo-random security string on said at least one electronic device for use by said user to determine a user transaction input code by applying said user code to said pseudo-random security string (column 5, lines 29-35); inputting said user transaction input code on said at least one electronic device (column 4, lines 50-55); transmitting said user transaction input code from said at least one electronic device to said host computer (column 4, lines 50-55); and determining, by said host computer, whether said transaction code and said user transaction input code match (column 5, lines 13-24).

Regarding claim 16, Kawana teaches the method of claim 15, further including the step of completing a transaction when said transaction code and said user transaction input code match (column 5, lines 25-28).

Regarding claim 17, Kawana teaches the method of claim 16, further including the step of providing access to a database when said transaction code and said user transaction input code match (column 4, lines 60-65).

Regarding claim 18, Kawana teaches the method of claim 16, further including the step of providing access to account information when said transaction code and said user transaction input code match (column 4, lines 47-56, column 5, lines 25-28).

Regarding claim 19, Kawana teaches the method of claim 15, further including the step of transmitting and displaying said pseudo-random security string on an Electronic Funds Transfer Point of Sale (EFT/POS) device (column 5, lines 65-68).

Regarding claim 23, Kawana teaches the limitations as set forth under claim 15 above the method of claim 15, further including the step of transmitting and display said transaction code to said at least one electronic device (column 4, lines 43-46).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawana (US Patent Number: 4,697,072) as applied to claim 1 above, and further in view of Goldfine et al. (US Patent Number: 5,343,529).

Regarding claim 3, Kawana teaches the limitations as set forth under claim 1 above. Furthermore, Kawana teaches the system of claim 1, wherein said at least one electronic device is comprised of an electronic Funds Transfer Point of Sale (EFT/POS) device for administering said transaction and receiving said user transaction input code (column 5, lines 65-68). However, Kawana does not disclose expressly the system of claim 1, wherein said at least one electronic device is comprised of a wireless device associated with said user for receiving and displaying said pseudo-random security string.

Goldfine et al. teach the system of claim 1, wherein said at least one electronic device is comprised of a wireless device associated with said user for receiving and displaying said pseudo-random security string (column 4, lines 25-35).

Kawana and Goldfine et al. are analogous art because they are directed to a similar problem solving area – authentication systems for remote transactions.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to centrally generate a transaction identifier specific to each transaction request to assure that the access information being transmitted from point to point in the system is different for each transaction attempt (Goldfine et al., column 2, lines 10-15).

Therefore, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Goldfine et al. with the system of Kawana for the benefit of authentication systems for remote transactions to obtain the invention as specified in claim 3.

Regarding claim 4, Kawana and Goldfine et al. teach the limitations as set forth under claim 3 above. Furthermore, Kawana teaches the system of claim 3, where said one time transaction code is received and displayed by said wireless device instead of said pseudo-random security string (column 4, lines 43-46).

17. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawana (US Patent Number: 4,697,072) as applied to claim 1 above, and further in view of Bickham et al. (US Patent Number: 5,530,438).

Regarding claim 5, Kawana teaches the limitations as set forth under claim 1 above. However, Kawana does not disclose expressly the system of claim 1, wherein said at least one electronic device is a wireless device associated with said user.

Bickham et al. teach the system of claim 1, wherein said at least one electronic device is a wireless device associated with said user (column 3, lines 10-13).

Kawana and Bickham et al. are analogous art because they are directed to a similar problem solving area – authentication systems for remote transactions.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use a wireless device associated with a user.

Therefore, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Bickham et al. with the system of Kawana for the benefit of authentication systems for remote transactions to obtain the invention as specified in claim 5.

Regarding claim 6, Kawana and Bickham et al. teach the limitations as set forth under claim 5 above. Furthermore, Kawana teaches the system of claim 5, wherein said one time transaction code is sent to said wireless device instead of said pseudo-random security string (column 4, lines 43-46).

18. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawana (US Patent Number: 4,697,072) as applied to claim 1 above, and further in view of Lee (US Patent Number: 6,748,367).

Regarding claim 7, Kawana teaches the limitations as set forth under claim 1 above. However, Kawana does not disclose expressly the system of claim 1, wherein said at least one electronic device is comprised of: a user computer, in electronic communication with said host computer, for receiving and displaying said pseudo-random security string and receiving said user transaction input code; and a merchant computer, in electronic communication with said user computer and said host computer, for administering said transaction, wherein one of said at least one electronic device relays said user transaction input code to said host computer for user identity verification.

Lee teaches the system of claim 1, wherein said at least one electronic device is comprised of: a user computer, in electronic communication with said host computer (figure 1, reference character 12), for receiving and displaying said pseudo-random security string and receiving said user transaction input code; and a merchant computer, in electronic communication with said user computer and said host computer (figure 1, reference character 18), for administering said transaction, wherein one of said at least one electronic device relays said user transaction input code to said host computer for user identity verification.

Kawana and Lee are analogous art because they are directed to a similar problem solving area – authentication system for remote transactions.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to have a user computer communicate with a host computer and a merchant computer communicate with a host computer and a user computer.

Therefore, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Lee with the system of Kawana for the benefit of authentication systems for remote transactions to obtain the invention as specified in claim 7.

Regarding claim 8, Kawana and Lee teach the limitations as set forth under claim 7 above. Furthermore, Lee teaches the system of claim 7, wherein said user computer and said merchant computer communicate via the Internet (figure 1, reference character 16).

Regarding claim 9, Kawana and Lee teach the limitations as set forth under claim 7 above. Furthermore, Kawana teaches the system of claim 7, wherein said one time transaction code is received and displayed by said user computer instead of said pseudo-random security string (column 4, lines 43-46).

19. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawana (US Patent Number: 4,697,072) as applied to claim 1 above, and further in view of Lee (US Patent Number: 6,748,367) and Bickham et al. (US Patent Number: 5,530,438).

Regarding claim 10, Kawana teaches the limitations as set forth under claim 1 above. However, Kawana does not disclose expressly the system of claim 1, wherein said at least one electronic device is comprised of: a wireless device associated with said user for receiving and displaying said pseudo-random security string, a user computer, in electronic communication with said host computer, for receiving said user transaction input code; and a merchant computer, in electronic communication with said user computer and said host computer, for administering said transaction, wherein one of said at least one electronic device relays said user transaction input code to said host computer for user identity verification.

Lee teaches the system of claim 1, wherein said at least one electronic device is comprised of: a user computer, in electronic communication with said host computer, for receiving said user transaction input code (figure 1, reference character 12); and a merchant computer, in electronic communication with said user computer and said host computer, for administering said transaction, wherein one of said at least one electronic

device relays said user transaction input code to said host computer for user identity verification (figure 1, reference character 18).

Bickham et al. teach the system of claim 1, wherein said at least one electronic device is comprised of: a wireless device associated with said user for receiving and displaying said pseudo-random security string (column 3, lines 10-13).

Kawana, Lee, and Bickham et al. are analogous art because they are directed to a similar problem solving area – authentication systems for remote transactions.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to send a security string to a user's wireless device, have the user input the transaction code, and to verify the user's identity.

Therefore, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Lee and Bickham et al. with the method of Kawana for the benefit of authentication systems for remote transactions to obtain the invention as specified in claim 10.

Regarding claim 11, Kawana, Lee, and Bickham et al. teach the limitations as set forth under claim 10 above. Furthermore, Kawana teaches the system of claim 10, wherein said one time transaction code is received and displayed by said wireless device instead of said pseudo-random security string (column 4, lines 43-46).

20. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawana (US Patent Number: 4,697,072) as applied to claim 15 above, and further in view of Goldfine et al. (US Patent Number: 5,343,529).

Regarding claim 20, Kawana teaches the limitations as set forth under claim 15 above. However, Kawana does not disclose expressly the method of claim 15, further including the step of transmitting and displaying said pseudo-random security string on a wireless device associated with said user.

Goldfine et al. teach the method of claim 15, further including the step of transmitting and displaying said pseudo-random security string on a wireless device associated with said user (column 4, lines 25-35).

Kawana and Goldfine et al. are analogous art because they are directed to a similar problem solving area – authentication systems for remote transactions.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to centrally generate a transaction identifier specific to each transaction request and to display it on a wireless device associated to the user to assure that the access information being transmitted from point to point in the system is different for each transaction attempt (Goldfine et al., column 2, lines 10-15).

Therefore, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Goldfine et al. with the method of Kawana for the benefit of authentication systems for remote transactions to obtain the invention as specified in claim 20.

21. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawana (US Patent Number: 4,697,072) as applied to claim 15 above, and further in view of Lee (US Patent Number: 6,748,367).

Regarding claim 21, Kawana teaches the limitations as set forth under claim 15 above. However, Kawana does not disclose expressly the method of claim 15, further including the step of transmitting and displaying said pseudo-random security string on a user computer wherein said user computer is in electronic communication with said host computer.

Lee teaches the method of claim 15, further including the step of transmitting and displaying said pseudo-random security string on a user computer wherein said user computer (figure 1, reference character 12) is in electronic communication (figure 1, reference character 16) with said host computer (figure 1, reference character 100).

Kawana and Lee are analogous art because they are directed to a similar problem solving area – authentication system for remote transactions.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to have a user computer communicate with a host computer.

Therefore, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Lee with the system of Kawana for the benefit of authentication systems for remote transactions to obtain the invention as specified in claim 21.

Regarding claim 22, Kawana and Lee teach the limitations as set forth under claim 21 above. Furthermore, Lee teaches the method of claim 21, further including the step of communicating between the said host computer and said user computer via the Internet (figure 1, reference character 16).

22. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawana (US Patent Number: 4,697,072) as applied to claim 1 above, and further in view of Wilder (US Patent Number 5,408,417).

Regarding claim 32, Kawana does not expressly disclose wherein said user interaction input code is entered through any area of a touch sensitive display. However, Wilder teaches using a touch sensitive display to enter a code (column 2, lines 41-68, column 3, lines 1-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a touch sensitive screen with the system of Kawana. One of ordinary skill in the art would have been motivated to do so because using a touch sensitive screen to provide a friendly interface to customers (Wilder, column 2, lines 1-40).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary Examiner
AU 2131
10/9/05

DGC